

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	\$ Group Art Unit: 2191
Brokenshire, et. al.	\$ Confirmation No.: 7306
	\$ Examiner: Nguyen, Phillip H.
Serial No.: 10/670,824	\$
	\$ Attorney Docket No.
Filed: September 25, 2003	\$ AUS920030702US1
	\$
Title: <u>System and Method for</u>	\$ IBM Corporation
<u>Dynamically Partitioning</u>	\$ Intellectual Property Law
<u>Processing Across</u>	\$ Dept.
<u>Plurality of Heterogeneous</u>	\$ 11400 Burnet Road
<u>Processors</u>	\$ Austin, Texas 78758

PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)

Dear Sir:

Applicants respectfully petition to correct inventorship of the above-identified application for patent by adding the following previously unnamed inventor of the application:

Harm Peter Hofstee

Attached is a Statement Under 37 C.F.R. § 1.48(a)(2) from Harm Peter Hofstee.

Attached is the written Consent of the Assignee.

Attached is a Certificate Under 37 C.F.R. § 3.73(b).

Attached is a Declaration, including signatures from each inventor of the above-identified application.

PATENT

In view of the statement from the newly added inventor and the declaration by each of the actual inventors, it is submitted that Harm Peter Hofstee was not named as an inventor through error and without any deceptive intention on the part of the inventors. Thus, Applicants respectfully request that this petition to add an inventor be granted.

The Commissioner is hereby authorized to charge payment of the \$130 fee as set forth in 37 C.F.R. § 1.17(i) to Deposit Account 09-0447.

Respectfully submitted,

By /Joseph T. Van Leeuwen, Reg. No. 44,383/  
Joseph T. Van Leeuwen, Reg. No. 44,383  
Van Leeuwen & Van Leeuwen  
Attorneys for Applicant  
Telephone: (512) 301-6738  
Facsimile: (512) 301-6742

## PATENT

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<u>Processors</u>	§ Austin, Texas 78758

STATEMENT UNDER 37 C.F.R. SECTION 1.48(a)(2) by Harm Peter Hofstee

Dear Sir:

I, Harm Peter Hofstee, state that I am a joint inventor of the above-identified application for patent.

The subject application was inadvertently filed omitting my name as a joint inventor through error and without deceptive intent on my part.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true.

May 14, 2007  
Date

  
Harm Peter Hofstee

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CONSENT TO ADD INVENTOR

Dear Sir:

International Business Machines, the original and sole assignee of the entire right, title, and interest in and to the above-identified application, hereby consents to the addition of Harm Peter Hofstee as a joint inventor in the U.S. Patent Application identified above.

INTERNATIONAL BUSINESS MACHINES CORPORATION

By Lynne D. Anderson  
Lynne D. Anderson  
Program Manager, USPTO Liaison  
Intellectual Property Law, Washington

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: **Brokenshire, et. al.**

Application No./Patent No.: **10/670,824**

Filed/Issue Date: **9/25/2003**

Entitled: **System and Method for Dynamically Partitioning Processing Across Plurality of Heterogeneous Processors**

**International Business Machines Corporation, a Corporation**

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 014561, Frame 0897, or for which a copy thereof is attached.  
**OR**
- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

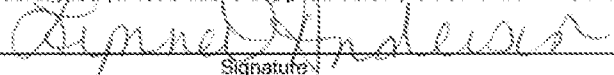
1. From: \_\_\_\_\_ To: The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 202.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

  
\_\_\_\_\_  
Signature

**5-14-07**  
\_\_\_\_\_  
Date

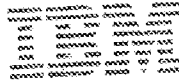
**Lynne D. Anderson**  
\_\_\_\_\_  
Printed or Typed Name

**703-299-1455**  
\_\_\_\_\_  
Telephone Number

**Program Manager, USPTO Liaison**  
\_\_\_\_\_  
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



North Castle Drive  
Armonk, NY 10504

### LETTER OF AUTHORITY

I, Patrick Toole, Vice President, Intellectual Property and Standards of International Business Machines Corporation (IBM), a New York corporation, do hereby delegate the authority to approve and execute documents on behalf of IBM relating to proceedings in the Patent, Trademark Registration or Copyright offices servicing any country or region of the world, or to related appeal proceedings, including, but not limited to: petitions; powers of Attorney, authorizations; verification; nominations of representatives; declarations; documents relating to maintenance and defense of the resulting industrial property rights; assignments of rights to apply for and acquire patents and trademark registrations; and evidence of such assignments; requests for the registration of patents as available for licensing, reports of inventions and petitions for waiver of patent rights to any department or agency of the United States Government; and, assignments, licenses and other instruments confirmatory of Government rights in patents and inventions, to Lynne D. Anderson, program manager, U.S. Patent and Trademark Office liaison.

Date: March 30, 2006

Patrick Toole  
Vice President, Intellectual Property & Standards  
International Business Machines Corporation

## PATENT

DECLARATION AND POWER OF ATTORNEY FOR  
PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**System and Method for Dynamically Partitioning Processing Across Plurality of  
Heterogeneous Processors**

the specification of which is identified by the attorney (IBM) docket number below:

<input type="checkbox"/>	attached hereto as Attorney Docket Number:	_____
<input checked="" type="checkbox"/>	as U.S. Serial Number (if applicable):	<u>10/670,824</u>
<input checked="" type="checkbox"/>	filed on: (if applicable)	<u>September 25, 2003</u>
<input type="checkbox"/>	and amended on (if applicable):	_____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 CFR 1.56.

I hereby claim the benefit of foreign priority under 35 USC 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application the priority of which is claimed:

Prior Foreign Application(s):

Priority Claimed?

\_\_\_ Yes \_\_\_ No

Number	Country	Filing Date
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I hereby claim the benefit of United States priority under 35 USC 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in a listed prior United States application in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose information material to the patentability of this application as defined in 37 CFR 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial #) Continuation-In-Part of 09/816,004, filed on 03/22/2001

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## PATENT

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the attorneys and/or agents associated with customer number **40412** to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Send correspondence to Customer Number: **40412** and direct all telephone calls to the attorneys of Van Leeuwen & Van Leeuwen at **(512) 301-6738**.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR:

**Daniel Alan Brokenshire**

INVENTOR'S SIGNATURE:  DATE: 5-18-2007

RESIDENCE: 3567 Ashmere Loop  
Round Rock, Texas 78681

CITIZENSHIP: USA

POST OFFICE ADDRESS: 3567 Ashmere Loop  
Round Rock, Texas 78681



**PATENT**

FULL NAME OF SECOND INVENTOR:

**Harm Peter Hofstee**

INVENTOR'S SIGNATURE: Harm Peter Hofstee

DATE: May 4, 2007

RESIDENCE: 704 Pressler Street  
Austin, Texas 78703

CITIZENSHIP: Netherlands

POST OFFICE ADDRESS: 704 Pressler Street  
Austin, Texas 78703

## PATENT

FULL NAME OF THIRD INVENTOR:

**Barry L Minor**INVENTOR'S SIGNATURE: Barry L MinorDATE: 5/18/2007RESIDENCE: 5501 Marrywing Circle  
Austin, Texas 78730

CITIZENSHIP: USA

POST OFFICE ADDRESS: 5501 Marrywing Circle  
Austin, Texas 78730

PATENT

FULL NAME OF FOURTH INVENTOR:

**Mark Richard Nutter**

INVENTOR'S SIGNATURE:



DATE: 5/18/2007

RESIDENCE: 6523 White Marsh Valley Walk  
Austin, Texas 78746

CITIZENSHIP: USA

POST OFFICE ADDRESS: 6523 White Marsh Valley Walk  
Austin, Texas 78746